

MEETING	Monday, December 7, 2015
TIME	5:41 PM
PRESIDING OFFICER	Mayor David P. Maher
PRESENT	Mayor Maher, Vice Mayor Benzan, Councillors Carlone, Cheung, Kelley, Mazen, McGovern, Simmons and Toomey
PLEDGE OF ALLEGIANCE	
MOMENT OF MEDITATION	Offered for Patricia Dance

MAYOR ANNOUNCED THAT THE MEETING WAS BEING RECORDED WITH AUDIO AND VISUAL DEVICES.

#### **SUBMISSION OF THE RECORD**

On motion of Councillor Simmons the submission of the Minutes were accepted for the revised minutes of the August 10, 2015 Special City Council Meeting on a voice vote of eight members.

#### **MOSES FAMILY**

Mayor Maher welcomed the Moses Family to the podium regarding the dedication of the Port Youth Center to be named in honor of Dr. John and Dr. Janet Moses.

Vice Mayor Benzan spoke of the importance of the work in the community done by Dr. John and Dr. Janet Moses around math literacy. He spoke about growing a home grown technology work force. Vice Mayor Benzan proceeded to read Policy Order # 12 of November 2, 2015 regarding the renaming of the Area IV Youth Center as the Dr. John and Dr. Janet Moses Youth Center.

Thereupon Dr. Janet Moses addressed the City Council and the community.

#### **PUBLIC COMMENT**

Mark Boyes-Watson, 100 Pacific Street, urged the City Council to pass the petition regarding use of basements. He stated that this is a common-sense thing. He stated that there is confusion and it is a simple fix. He stated that the Inspectional Services Department would be thrilled to have this simplified by the Barrett Petition. It would increase space without increasing bulk.

Sue Butler, 14 Clinton Street, stated that diversity offers a wonderful opportunity for synthesis. She stated her support for Policy Order #3. Regarding Policy Order #1, she stated that trees are the primary method for carbon recapture. She stated that trees should be planted. She stated that the city needs a Master Plan with clarity on affordable housing.

Shelagh Foreman, 14 Chauncy Street, stated that she is pleased that Councillor Carlone sponsored Policy Order #3. She stated her hope that people will realize that the slander is very frightening. She stated that we are lucky to have a Muslim City Councillor.

Carol O'Hare, 172 Magazine Street, spoke on Committee Report #1. She stated that regarding curb cut permit at the location of 154-158 Magazine Street. She stated that she spoke with the Commissioner of Inspectional Services and he has confirmed that the suggestion that was e-mailed to the City Council this afternoon specifies that where the curb cut permit is located and the plan to which it should refer and the conditions that should be imposed upon the permit as she described them in her suggested motion. She stated that she would like the City Council to adopt her motion. Regarding the Barrett Petition, she stated that she feels that it is not ready for prime time. She stated that regarding the Volpe petition, she is swayed by the concerns about the mega whammy impact that cannot be calculated resulting from all the developments proposed in the Kendall Square and East Cambridge areas. She stated that without a developer present at the table, it is impossible to come up with a decent and fair zoning amendment.

Kathy Roberts, 321 Huron Avenue, spoke on Policy Order #3. She stated that she is a volunteer teacher at a faith-based pre-school. She stated the importance that all children get the message that although some adults have the right to free speech that we are clear that we will stand up and say a loud No to hate speech that is full of hate and lies. She stated that Councillor Mazen is a leader in the Muslim community who was instrumental in bringing together an interfaith group that stood in support of the Cambridge Mosque when it was under attack last year by a hate group.

Liz Keating, 122 Larch Road, spoke on Policy Order #3. She stated her support for this Policy Order. She stated that one of the great benefits of living in Cambridge is its social, economic, racial and religious diversity. She stated that it is all too common throughout the United States to engage in hateful mischaracterizations and display other forms of intolerance toward Muslims.

Doug Brown, 35 Standish Street, spoke on the Committee Report #6. He stated his support for the Barrett Petition. He stated that this has the potential to provide a small percent of incremental housing to the City. He stated that it can provide a measure of public safety when requiring permits and protections that are not currently needed. He stated that currently there is a petition before the Planning Board on Cushing Street which is a proposal by a developer to replace a one-story home with two, two-story homes.

Dick Clarey, 15 Brookford Street, spoke on Policy Order #3. He stated that a reporter was assigned to Cambridge and he sat next to her at a hearing and he helped her by filling her in on the personalities and issues. He stated that she put him in her virtual Rolodex as a Cambridge activist. After leaving Cambridge, this reporter ascended the staff at the Globe where she is now writing in spotlight issues and important topics. He stated that he was excited to get a call from her when she wanted to talk about Councillor Mazen. She stated that Councillor Mazen has no remedy against these people as a public figure except that the people who know him will respond for him. He stated that he is grateful for this order. He would like added to the policy order that the citizens of Cambridge are just as disgusted.

Robert Wood, 1 Wood Street, spoke on the Barrett Petition. He stated that he has two small children and lives in Cambridge. He stated that they have one of the smallest houses in Cambridge. When they moved in they had no children. He stated that they wanted a small addition to the rear of their home. He stated that the process has been going on for 12 months. The end result will be that if that addition is not granted they will likely have to leave Cambridge. He stated that this is one example where the City Council can show support for Cambridge families who want to grow in place.

Benjamin Lavery, Boylston Street, Boston, spoke on Committee Reports #4 and #6. He commended the Cambridge Redevelopment Authority on the process that has brought Boston Properties to this point. He stated that this will allow for more density in the heart of Central Square. He stated that currently the MXD district from a square footage perspective is maximized. Without this petition, there will be no more growth, either commercial or otherwise.

Kiril Alexandrov, 406 Franklin Street, spoke on the Barrett Petition and Committee Report #6. He stated that there are very few ideas that are both elegant and simply by nature to solve multiple problems. He stated that the common sense idea in this petition is one of those rare instances where the elegant solution proposed in this petition could help Cambridge on multiple fronts. He stated that he and his wife support this petition because it would help generate income and economic activity. He stated that students will be the best renters for basement units since these units cannot command market prices due to their nature of being basement units. He stated that Cambridge does a great job on affordable housing and this is another avenue to grow affordable housing stock that already exists without more building or killing green spaces or building more towers. He stated that the basements that are falling apart can be fixed into something useful and pleasing thus making Cambridge better looking and therefore increase values and taxes. He stated that Cambridge has to stay competitive and this is an opportunity to help improve Cambridge so it can best provide affordable resources for its citizens. He stated that this would help elderly or low income residents who own their houses to generate more income. He noted that this would give the homeowner more options in how they choose to use their space that has minimal effect on their neighbors and it would foster a closer sense of community.

Hubert Murray, 204 Erie Street, stated his support of the order submitted by Councillor Carlone condemning the content of the article about Councillor Mazen.

Heather Hoffman, 213 Hurley Street, spoke on City Manager Agenda #7. She stated that she supports Policy Order #3. She stated that she is in favor of the trees at Dunster and Holyoke Street. She stated that replacing a large, mature tree with a sapling is no replacement. She stated unless there is a really good reason to take these trees down, they should stay in place. Regarding Centanni Park, she stated that if people are bringing trucks to maintain the park it is okay for them to park there. Regarding the MXD zoning change, she stated that she has been thinking about what she heard at the last Ordinance Committee Meeting. She stated that she understands that it is going to happen and it should be done in a way that is best for the city and its residents. She would like people to give thought to ways that we can get more affordable housing.

Marilyn Wellons, 651 Green Street, spoke on Policy Orders #1 and #8. She thanked Councillor Carlone for Policy Order #3. She stated that regarding Policy Order #8, she thanked Councillor Toomey. She stated that open space is essential. She stated that regarding Policy Order #1, she stated that Harvard's re-do of Holyoke Center means that the project will destroy the city's street trees that they have taken great pleasure in. She stated that people love them. She stated that the people have heard various reasons as to why the trees have to go. She stated that she sees money trumping the public interest. She would like the City Manager to persuade Harvard to preserve and protect these trees.

Lea Lortie, 330 Walden Street, spoke on the Committee Report #6. She stated that she and her wife have two children and live in Cambridge. She stated that anything that makes it easier on residents make sense to her. She stated that it is a small thing but would really help homeowners. She stated that one of the things that you hear when talking to parents is that they are looking for more space. This would help make space useable and allow people to stay in Cambridge. She stated that she regularly hears that people want to stay in Cambridge so anything we can do to help with that is beneficial. She stated that the more we know each other as a community, the safer we are. She stated that this makes Cambridge a more vital and thriving place to live.

Dennis Coveney, 50 Washburn Avenue, spoke on Policy Order #1. He stated that he would like to see a way to save these trees. Regarding Policy Order #4, he asked if there is any way to increase the housing. He stated that we are being pressured by the universities and that is why there is no affordable housing.

James Williamson, 1000 Jackson Place, stated that he was pleased with the dedication for Bob and Janet Moses. He stated that it would be helpful if City Councillors help the public understand the parts and how they fit together when talking about the MXD zoning petition. He stated that there is Kendall piece, Cambridge Redevelopment Authority piece and Volpe piece. Regarding Policy Order #1, he stated that he supports this order. He stated that the public should be invited to parties such as the recent one for Boards and Commission members. He stated his support for Policy Order #3.

Lee Farris, 269 Norfolk Street, stated that Affordable Housing is an urgent need in Cambridge and noted that she is pleased with Policy Order #4. She stated her hope that such a voucher could operate under Cambridge rules as opposed to federal rules. She thanked the Ordinance Committee for not approving the Volpe Petition. She stated that this petition needs a number of improvements. Regarding the MXD up-zoning in Kendall Square, she asked that the City Council not vote for final approval until improvements have been made. She stated her support for Policy Order #3.

Hasson Rashid, 820 Massachusetts Avenue, stated that the revised Volpe up-zoning petition for the Kendall Square area is not part and parcel of any instrumentation for the collective advancement of Cambridge's homelessness sector and mosaic. He stated that the Volpe Center is in direct violation of federal Title V of the McKinney-Vento Homeless Assistance Act. He stated that surplus federal properties are mandated to be used to assist the homeless. He stated that it is well known that affordable housing is not actually affordable when it comes to the homeless. He stated that homelessness is the highest priority of the city.

Peter Valentine, Brookline Street, stated that he has had many conversations with Mr. Barrett and he is dedicated to maintaining the soul of the City of Cambridge. He stated that when Mr. Barrett speaks he is talking about maintaining the soul of the City of Cambridge.

Patrick Barrett, 234 Broadway, stated that in August he submitted a petition that has been two years in the making. He stated that he reached out to neighborhood groups, homeowners, developers, architects and other members of the community who take zoning seriously. He stated that the petition that sits before the City Council is the culmination of some of the best minds and advocates that Cambridge has to offer. He asked the City Council to take the next step. He stated that he recognizes some of the trepidation offered by the Community Development Department and the Planning Board and to that end he has given the City Council a list of possible amendments to this petition that would erode some of its impact but not entirely diminish its aim. He stated that Part A creates 1000 units of housing spread throughout the city and expands an already existing section of the ordinance that currently only allows the very affluent to create accessory apartments. He stated that Part B is a fix that aligns the building code, sanitary code and zoning. He asked the City Council to look at the people who signed this petition. He noted that they represent all walks of life. He asked the City Council to pass the petition.

Jan Devereux echoed her support for Policy Order #3. She stated that regarding the trees in Harvard Square, Harvard is in danger of eroding the good will that it was starting to earn back. She asked for more creative thought on the issue. She stated her support for the gap voucher and for Policy Order #6. She stated that terms limits may be appropriate for some of the boards and commissions. She stated that on the zoning petitions, the Ordinance Committee has been working non-stop. She stated that there is no clarity on the recommendations. She stated that there is rush to act on this petition. She stated that it will have a tremendous impact on the affordable housing. She stated that it would be wise to wait and get it right. She stated that she supports the goals and intent of the Barrett petition.

#### **CONSENT AGENDA**

- # 1 Placed on file.
- # 2 Placed on file.
- # 3 Order adopted 9 – 0 – 0.
- # 4 Order adopted 9 – 0 – 0.
- # 5 Order adopted 9 – 0 – 0.
- # 6 Placed on file.
- #13 Order adopted 9 – 0 – 0.

#### **NON-CONSENT AGENDA**

#### **VOLPE AND THE CAMBRIDGE REDEVELOPMENT MXD ZONING PETITIONS**

- # 7 Here insert Agenda # 7 read by Mayor Maher. Councilor Carlone stated that this report from the Planning Board was discussed at the Ordinance Committee hearing. He commented that there is much more work that is needed to be done on this petition.

Councillor Toomey commented that he felt there is much more work needed to be done on both the Volpe petition and the CRA/MXD petition. He noted that including MIT there is 5 million square feet of development. This will impact the East Cambridge and The Port areas. He hoped that both the Volpe and the CRA petitions would be refiled for the next session. He also commented about the Ames Street housing. He noted that he has a trust factor with this development. He did not want to be discussing last minute changes to this petition at the last meeting of the City Council for this session.

Councillor Cheung stated that he is excited about the direction for Kendall Square. He stated that progress has been made to activate the streetscape and ground floor retail. He commented that credit for this needs to be given to the CRA and Boston Properties, but he shares the concerns of his colleagues. He spoke about the percentage for affordable housing, innovation space and the sequencing of whether housing will be built first or commercial has not been resolved. He stated that Volpe and the MXD need to be integrated and how these petitions are connecting with each other. He stated that Ames Street had a proposal for middle income housing but he would like to go down to zero income housing. He noted that Boston Properties has opted not to do the middle income housing that the City Council advocated for. He stated that there are a lot of positive aspects in Kendall Square but he wanted the details ironed out before passing the petitions.

Councillor McGovern requested that the Mayor clarify for the public that by accepting this report this is not accepting what is in the report or moving this petition forward. He noted that in order for the new Volpe building to be built the City Council must up-zone the land to make it viable for the developer to build. He stated that the City is being asked to sacrifice to make it viable to build. He questioned what sacrifice is Volpe making? He stated that he wanted 20% subsidized housing and 5% middle income housing. He stated that the City is doing everything for Volpe to get their building built but Volpe is doing nothing for the benefit of the City. He wanted this petition refiled.

Councillor Simmons moved suspension of the rules to bring Agenda # 8, Committee Reports # 4 and 6 before the City Council for discussion.

The question now came on suspension of the rules and on a voice vote the rules were –  
Suspended.

Councillor McGovern stated that the difference between Volpe and the MXD is that the time frame for the MXD is expiring on December 22, 2015 and that the developer, Boston Properties, the City can work with. He noted that where the petitions are similar is there is not enough affordable housing. He again stated that he wanted to see 20% low income housing and 5% middle income on the MXD.

Councillor Cheung stated that the City Council has stated that the Volpe site is 2 million square feet and the MXD is 1 million square feet. He commented that the City Council has been discussing the need for housing for so long and if the City wants a grocery store in Kendall Square it is housing that drives the necessity for a grocery store. He wanted 25% housing in Kendall Square.

Councillor Carlone stated that both proposals are different even though they are in Kendall Square and are large buildings. He stated that the MXD had extensive study, urban design drawing and developed programming. He added that it was clear what was being proposed. He stated that the housing proposed for Ames Street was a major setback, but is moving forward. Every question asked of the CRA received a prompt response. He stated that plan for Volpe could be better designed. He stated that the only way that Volpe will work is with a superb urban design scheme which it does not have. The two petitions are like night and day. He stated that the MXD could work and no one knows what Volpe wants.

Mayor Maher commented that the two petitions are in different states. He noted that no one feels that the Volpe petition is ready for passage. The MXD is much closer to enactment and there is a possibility that the deadline can be reached. He stated that the City has the possibility of going to 25% affordability to create 140 units of affordable housing in the MXD district. He feels that the CRA has done a good job to push this forward. He stated that unless the housing percentage is 25% affordability there is no appetite to pass this petition. He stated that in perfect world part of the parking garage would be taken done and the housing built in this location. In response to a question by Mayor Maher, Mr. Evans stated that there are 460 parking spaces in the garage. Mayor Maher stated that the issue regarding the Ames Street housing needs to be completely resolved before this vote takes place. If not resolved and nothing in writing from Boston Properties, this petition will not be passed.

Ms. Farooq informed the City Council that there is communication from Boston Properties stating that 36 units of affordable housing will be provided which was mentioned in the Special Permit process. This is four more units required by Inclusionary zoning. Mayor Maher requested that Ms. Farooq forward this to the City Council. He stated that he wanted to see the original agreement honored with the housing increased and with this there may be a willingness to take action on this petition before the expiration date.

Councillor Toomey again stated that these petitions are not ready for ordination. They need much more work. He stated that he would rather see the Volpe and MXD go through the Masterplan for review because everything else is being sent to the Masterplan process. He asked when the residents will have a chance to comment on this plan – on December 21, 2015. He commented that Alewife will be studied but not these petitions in Kendall Square which impacts the East Cambridge and The Port areas of the city. He spoke about an earlier request if the MXD could be put out to bid to other developers other than Boston Properties. He stated that there is not mitigation for East End House or Margaret Fuller House. This is a give-away of 1 million square feet, he stated. He suggested that these petitions be refiled and that developers look to restarting the development of North Point which needs a major jumpstart.

Councillor Cheung stated that he wanted more housing and was reticent in doing anything until there is a plan for more housing. There is a good commercial market to build now but he wanted housing built before any more commercial development is built in Kendall Square.

Councillor McGovern stated that if the MXD is not passed to a second reading it will have to be refiled and this is not providing the opportunity to get what is being requested from the City Council or making this plan better to come before the City Council on December 21, 2015. He

commented that this could be passed to a second reading tonight but that this should not be viewed, especially by Boston Properties, as the City Council will vote to ordain this petition. Passage to a second reading will give CRA time to make the requested changes and to continue the conversation. He further requested that a model be provided to the City Council that contains all the developments in the Kendall Square area. Ms. Farooq responded that in the digital model the MXD build out is included but the MIT is not included and will be included next time. Councillor McGovern stated that he wanted to see the real 3D model of the Kendall Square area.

Councillor Kelley stated that he heard a slowdown previously on these petition and he is not hearing that now. He does not see the need to wait for the Masterplan to move this forward nor does he see the need to move this forward.

Councillor Mazen stated that if these petitions are slowdown he would have rather that this have been the approach taken at the Ordinance Committee hearings. He added that all agreed in the Ordinance Committee hearings that the Volpe petition needs work. He stated that regarding the MXD petition in the Ordinance Committee the bar was set extremely high for 20% affordable housing and 5% middle income housing and wanted to see the progress made prior to December 21, 2015. He spoke about the need for subsidized retail and subsidized means tested innovation space. He stated that setting the bar high at the Ordinance Committee hearing and this being achieved he felt that this should be acted upon. He stated that it was incumbent on the City Council to act upon what has been improved. In the future any negotiation should be held in committee with full attendance. He stated that it is incumbent on him to vote on this because the CRA has improved the petition. What is remaining is the issue of the 25% housing; 20% affordable and 5% middle income.

Mayor Maher read Agenda # 7 and stated that the action is to refer it to the petition.

# 7 Referred to the petition.

# 8 Here insert Agenda # 8 read by Mayor Maher and moved that it be referred to the petition. The motion to refer carried on a voice vote. Councillor Carlone moved that on Committee Report # 4 the City Council move to adopt the motion to substitute the modified text for the original text.

Mayor Maher moved that the report be accepted, placed on file and the motion be adopted. The following order was now considered, the question being on adoption, to wit:

(HERE INSERT POLICY ORDER #10)

Councillor Toomey requested a roll call vote on this matter which resulted as follows:

YEAS:	Vice Mayor Benzan, Councillors Carlone, Cheung, Kelley, Mazen, McGovern, Simmons and Mayor Maher	- 8
NAYS:	Councillor Toomey	- 1
ABSENT:	None	- 0

and the order was –

Adopted and the report was accepted and placed on file.

Councillor Carlone stated that Committee Report # 6 came as a result of an additional Ordinance Committee hearing. He stated that this report also contains a motion that the



modified text be substituted by the revised text. This motion prevailed in the Ordinance Committee.

Councillor Carlone now moved the adoption of the motion to substitute the revised text for the modified text.

(HERE INSERT POLICY ORDER # 12)

The order was –

Adopted by the affirmative vote of nine members.

Councillor Carlone moved that Committee Report # 6 be accepted and placed on file.

On a voice vote the motion –

Carried.

The question now came on passage to a second reading as amended by the revised text and that the text in the Planning Board recommendation be incorporated into the revised text on the MXD zoning and the Kendall Square Urban Renewal Plan Amendment, which reads as follows:

(HERE INSERT FIRST PUBLICATION # 3384)

(HERE INSERT FIRST PUBLICATION #3385)

The question now came on passage to a second reading as amended to incorporate the Planning Board recommendation into the revised text and the roll was called and resulted as follows:

YEAS:	Vice Mayor Benzan, Councillor Carlone, Mazen, McGovern, Simmons and Mayor Maher	- 6
NAYS:	Councillors Cheung, Kelley and Toomey	- 3
ABSENT:	None	- 0

The proposed MXD zoning and the Kendall Square Urban Renewal Plan Amendment was passed to a second reading as amended to incorporate the Planning Board recommendations into the revised text on December 7, 2015 and on or after December 21, 2015 the question comes on passing to be ordained.

# 9 Here insert Agenda # 9 read by Mayor Maher. Councillor Mazen asked for an overview of the data and how does the data compare to the assumption of people parking in the complexes in that area.

Mr. Barr stated that the data speaks for itself. The data was useful. He was surprised at the low numbers but confirmed what the City was trying to accomplish with the overall transportation policies. This was consistent with the reduction in residential parking permits. The City is close to finding a balance and every development project is different. Councillor Mazen stated that it would be helpful to have an adjustment factor.

Councillor Carlone stated that he was astounded by the numbers. He stated that his conclusions are that many people do not use the car in the city and use it for work or to go outside of the city or use bikes or walk.

Vice Mayor Benzan stated that the traffic in Alewife is said to be contributing to this, but what is seen in the report is opposition. People who are residing in these new developments are using cars less than used in the past or are parking in a parking garage and paying a fee. He asked if people are applying for parking permits if they pay a fee to park in a garage within the development. The numbers show that they are not in great numbers and may only be using the car infrequently. This is all part of the overall trend. Vice Mayor Benzan asked if the city is able to track how many people are able to park in a garage and who apply for parking permits. Mr. Barr stated that this would be more work. The off street parking spaces that the developments have could be looked at as to whether they are being used. The city does have the ability to track this if this is an important question to answer, but the behavior is unknown. Vice Mayor Benzan questioned whether we would be seeing these trends if we were not building close to the Redline or building close to Huron Avenue. Mr. Barr stated that less of this trend would be seen. Vice Mayor Benzan noted that the intent of this Policy Order was to determine whether the new developments were contributing to the traffic in the city. He asked for a status on the Alewife traffic study. He stated that his conclusion from this report is that the traffic is not coming from the developments. Mr. Barr stated that the Alewife Study will be part of the city-wide plan which will look at transportation issues. Mr. Barr further stated that there are state issues which the city needs to partner with the state, Mass DOT and others. He stated that the traffic congestion is origin or destination driven.

Mayor Maher commented about looking at the data for developments that have occurred in the city and those on the outskirts of the city. He noted that the development on Norris Street where parking permits are used are creating an impact on the surrounding neighborhoods. Developments such as this, he stated may have to be looked at differently than those that are centrally located.

Councillor Toomey noted that it was interesting to see the decrease in the number of parking permits issued and the number of people walking, biking or using public transit. Councillor Toomey asked if there is a way to find out how many people in the city own bikes. He asked if a survey could be done or to make it part of the census. Mr. Rossi stated that staff can discuss this with the Bike Committee to see what data the city can provide.

Vice Mayor Benzan spoke about a letter being sent to the university requesting that their students be discouraged from driving cars from out of state. He asked about the status of charging college students more for parking permits. Mr. Barr stated that the city could work with the universities to make it clear to students that this is a place where car ownership is still challenging.

# 9 Placed on file.

### **COMMUNITY BENEFITS ORDINANCE**

#10 Here insert Agenda #10 read by Mayor Maher. Councillor Mazen noted that this is important for the non-profit and human service sectors in the City. He stated that the number of residents on the advisory committee was discussed by the City Council. He noted the increase from two to four members and wondered if four is the correct number. He felt it should be a majority of the committee. Mr. Rossi responded that it could actually be more than

four members because if members of the non-profit community or City staff are appointed they could also be residents and this is not a minimum number. Four is not a maximum number.

Councillor Simmons noted that she was pleased with the changes made to the ordinance. She questioned the number of the members of the committee and that she did not see the membership at thirteen. Deputy City Manager Peterson reinforced the membership of the committee. Councillor Simmons stated that she preferred the residents not work for the City and wanted the appointee to be a true community persons. She wanted people to feel that they can participate and not inhibited. She acknowledge the addition of the “vice-chair” language.

Councillor Carlone spoke about an interest in having a maximum number of residents on the committee. He stated that nine non-resident members versus four resident members is a big shift. Mr. Rossi suggested language that the goal always be that the City Manager maintain the balance of residents and non-residents on the advisory committee. Councillor Simmons stated her support for this idea.

Councillor Carlone moved suspension of the rules to dispense with the regular order of business to bring forward Committee Report # 7 forward with Agenda # 10.

The question now came on suspension of the rules – and on a voice vote the rules were –  
Suspended.

The following committee report was now considered, which reads as follows:  
(HERE INSERT COMMITTEE REPORT # 7)

The report was –  
Accepted and placed on file.

Councillor Carlone now moved that Agenda # 10 be referred to the petition and on a voice vote the motion –  
Carried.

Councillor Carlone now moved that the proposed Municipal Code amendment be amended with the text contained in Agenda # 10.

The question now came on the amendment – and on a voice vote the amendment –  
Carried.

Councillor Carlone now moved passage to a second reading as amended, which reads as follows:

(HERE COPY FIRST PUBLICATION # 3386)

The proposed amendment was –

Passed to a second reading as amended at the City Council meeting held on December 7, 2015 and on or after December 21, 2015 the question come on passing to be ordained.

#11 Here insert Agenda #11 read by Mayor Maher. Vice Mayor Benzan commended the City Manager on his selection for the position of License Commission Chair.

#11 Placed on file.

#12 Here insert Agenda #12 read by Mayor Maher. Councillor Mazen spoke about reenergizing the Board and Commissions required by Ordinance that have a role on how we gather in the City. He asked about the board and commissions that falls within this expenditure. Mr. Rossi stated that the entire amount allocated to boards and commissions is \$15,000 which was the cost of the event and that this was not included in last year's budget. This event gives a good feeling to the volunteers who serve on the boards and commissions. This event celebrated the diversity of the community. There was an award ceremony which was valuable to the spirit of the volunteers in the community. He noted that he is always looking to expand the membership of the boards and commissions. Councillor Mazen stated that the event is beyond reproach and he is looking to expanding the event to have it more consistently. He suggested a monthly gathering to keep people thinking about boards and commissions and joining them. Mr. Rossi stated that asking members of boards and commissions to come to a monthly meeting may be a lot to ask and that there are ways to engage with members of boards and commissions. He stated that he is willing to incorporate any ideas that the City Council may have about the boards and commissions. Councillor Mazen suggested that the Executive Directors of the boards and commissions have the monthly gatherings and that attendance is open to all, including the City Council.

The following order was now considered, the question being on adoption, to wit:  
(HERE COPY ORDER FOR AGENDA # 12)

The question now came on adoption of the order and the roll was called and resulted as follows:

YEAS:	Vice Mayor Benzan, Councillors Carlone, Cheung, Kelley, Mazen, McGovern, Simmons, Toomey and Mayor Maher	- 9
NAYS:	None	- 0
ABSENT:	None	- 0

and the order was –  
Adopted.

### **CAR SHARING COMMITTEE REPORT**

Councillor Cheung moved that Committee Report # 1 be brought forward. The question now came on suspension of the rules and on a voice vote the rules were –  
Suspended.

Here insert Committee Report # 1 read by Mayor Maher.  
(COMMITTEE REPORT ON CAR SHARING)

Councillor Cheung stated that the Planning Board was not received by the City Council when it was before the Ordinance Committee for a hearing. He stated that there is a misconception that there will be Zipcars in people's driveways in residential areas. This is not the case and not the intention of Zipcar. He noted that Zipcar is taking sixteen cars off of the street. He further stated that Zipcar has the footprint and the membership in Cambridge now so there will not be seen a lot more cars parked on the street. He spoke about car sharing being part of the Masse zoning proposal. He stated that cars will be seen when commercial real estate is being built and where we want to see car sharing. He commented on the recommendations of the Planning Board. He stated that registration of the parking space makes sense. He was concerned with the second recommendation about the 10 feet and how much staff overhead his would cost to

have staff go out to visit the sites. This will ensure that the sites that are existing are legal. He stated that the number of parking that is registered for new developments is low; one-fourth of new units have a registered car. The accessory non-residential uses are being pushed into commercial places and he would rather Zipcars used instead of personal cars.

Councillor McGovern spoke about the notification process. He stated that if there is no requirement that people in the neighborhood are notified there will be complaints from residents. He would like this to be a requirement in the ordinance.

Councillor Kelley agreed with Councillor McGovern. He stated that there is a question of what the new shared economy looks like and how is the new shared economy regulated. There is some notification process needed. He stated that he does not view this as neighbors having a veto over the process, but neighbors are involved. He would like shared cars given stickers and parked on the street. He commented that the City's view toward parking is antiquated. He stated that neighbors need to have some sort of impact on a driveway that is being used close to where they live. He also wanted the City to think about what transportation in the future will be. He spoke about driverless cars parking in residential driveways.

Councillor Carlone stated that he attended a transportation conference where Zipcars and their advantages were discussed. He stated that it was reported at the conference that each Zipcar vehicle takes 13 private vehicles off of the road and each Zipcar serves 40-50 members. He further stated that for each developer who adds a Zipcar space to their development or garage it eliminates 5 required parking spaces. He stated his support for this. He stated that the 10 foot distance does make sense and will have little impact on viability of locations.

Councillor Cheung requested clarification on the driveway question.

Jeff Roberts stated that the response on the Planning Board recommendation and the general concept of the petition is that parking spaces are available to be used for car sharing vehicles. He stated that both the Planning Board recommendation and the original petition deal with some limitations for car sharing vehicles to take up too many spaces and need to balance the need of individual residential cars. The Planning Board recommendations on the limitations is based on what the zoning requirements are. The Planning Board recommended that on non-accessory residential and accessory residential parking that 75% of the required number of spaces would need to be devoted to individually owned cars. This means that if a lot has the exact number of spaces required then 25% of the spaces could be used for car sharing. If there are more spaces on a lot than required any of the excess parking spaces could be used for car sharing. This gets tricky if there is an existing lot that is non-conforming and does not have the spaces that does not meet the zoning requirement because it is a grandfathered non-conforming use. This would be more difficult under the Planning Board's recommendation to accommodate car sharing vehicles. Mr. Roberts stated that driveways are not parking spaces. Under the Planning Board recommendation car sharing would only be allowed in parking facilities that have four or more spaces and would not include a driveway that could accommodate four cars.

Councillor Kelley stated that parking is the wrong discussion. He stated that the discussion is moving toward shared space. He wants this right so that when the discussion is more complicated with issues such as Airbnb that there is a model that can be shown that works.

Mayor Maher moved that the report be accepted and placed on file.

Councillor Cheung moved that the following proposed amendment to the Zoning Ordinance be passed to a second reading as follows:

(HERE INSERT FIRST PUBLICATION # 3387)

The amendment to the Zoning Ordinances was –

Passed to a second reading at the City Council meeting held on December 7, 2015 and on or after December 28, 2015 the question comes on passing to be ordained.

### **CALENDAR**

# 1 Here insert Calendar Item # 1 read by Mayor Maher. At the request of the Mayor the City Clerk explained the process. Councillor Carlone moved to clarify that the 2015 plan is the plan. At this time Councillor Carlone submitted the following amendment to be added at the end:

ORDERED: The City Council approves Charles River Nominee Trust's curb-cut permit for the corner property at 154-158 Magazine Street, with the curb to be located on Tufts, as shown on the plan entitled "Plot Plan, 154-158 Magazine Street, Cambridge, Mass., Scale 1" – 20', dated August 2, 2015, by AGH Engineering, filed with Cambridge Inspectional Service Department, subject to the following conditions:

That associate parking area, as shown on that plan, is only for the parking of a van or truck from time to time when needed to perform maintenance work at the 154-158 Magazine Street property. To assure that there will be no resident parking at any time, either a fence or plantings will separate the single parking space from the remainder of the lot.

Mayor Maher now moved adoption of the order as amended, which reads as follows:

(HERE INSERT ORDER FOR CALENDAR ITEM # 1)

The order was –

Adopted as amended by the affirmative vote of nine members.

#2-6 No action taken.

### **APPLICATIONS AND PETITIONS**

# 1 – 2 Referred to the City Manager with power on motion of Councillor Simmons.

### **CONSENT COMMUNICATIONS**

# 1- 16 Placed on file.

## **CONSENT RESOLUTIONS**

#1-11 Moved by Councillor Simmons for discussion and adoption. Upon adoption that the resolutions be made unanimously sponsored.

All consent resolutions were adopted by an affirmative vote of nine members.

## **NON-CONSENT RESOLUTIONS**

# 2 Here insert Resolution # 2 read by Mayor Maher. Councillor Simmons stated that Pat Dance worked in the School Department. She stated that Ms. Dance was the executive assistant to three pastors at the St. Paul's AME Church. Councillor Simmons stated that the community will miss Ms. Dance and spoke about honoring her work.

# 2 The resolution was made unanimously sponsored and adopted by the affirmative vote of nine members.

#11 Here insert Resolution # 11 read by Mayor Maher. Mayor Maher extending best wishes for a speedy recovery to former Mayor Sheila Russell.

#11 The resolution was made unanimously sponsored and adopted by the affirmative vote of nine members.

## **POLICY ORDERS**

# 1 Order adopted by the affirmative vote of nine members.

# 3 Order adopted by the affirmative vote of nine members.

# 5 Order adopted by the affirmative vote of nine members.

#7-8 Orders adopted by the affirmative vote of nine members.

## **NON-CONSENT POLICY ORDERS**

# 2 Here insert Policy Order # 2 read by Mayor Maher. Councillor Carlone saluted the Board of Zoning Appeal for following the rules in a deliberate manner. The owner wanted to expand but the zoning does not allow it. He commented that it should be housing along Fresh Pond Parkway.

# 2 Adopted by the affirmative vote of nine members.

# 4 Here insert Policy Order # 4 read by Mayor Maher. Councillor Simmons wanted the City to find any way to keep Cambridge affordable. She added that this matter will be before the Housing Committee for the 2016 term. This is just one aggressive measure that the City is going to have to employ for the buffer between affordability and not being affordable.

Vice Mayor Benzan spoke about the transfer tax being a possible source of revenue for the gap vouchers.

Councillor Simmons stated that there are so many ways that this can be funded. She stated that the Housing Committee is preparing an end of the term report and it includes the transfer tax and a number of things that need to be explored.

# 4 Adopted by the affirmative vote of nine members.

# 6 Here insert Policy Order # 6 read by Mayor Maher. Councillors Simmons stated that the boards and commissions of the City are one portal of citizen engagement and the City needs to ensure that the boards and commissions are diverse. The means by which members are appointed to the boards and commissions must be deliberate to ensure diversity that reflects the population. This order codifies this process.

# 6 Order adopted by the affirmative vote of nine members.

### **COMMITTEE REPORTS**

# 2 Here insert Committee Report # 2 read by Mayor Maher.

The report was –

Accepted and placed on file.

In connection with this matter Councillor McGovern submitted the following order, the question being on adoption, to wit:

(HERE INSERT POLICY ORDER # 9)

The order was –

Adopted by the affirmative vote of nine members.

# 3 Here insert Committee Report # 3 read by Mayor Maher. Councillor Kelley stated that the entire City has rats and all have to deal with this.

The report was –

Accepted and placed on file.

# 5 Here insert Committee Report # 5 read by Mayor Maher.

The report was –

Accepted and placed on file.

Councillor Carlone noted that the Planning Board felt that there are issues that need to be discussed regarding this petition. He stated that this does not need to wait for the Master plan. He stated that he would like to hear from Inspectional Services on this petition. He stated that basements are not easy.

Vice Mayor Benzan requested a memo from Inspectional Services on this issue describing the challenges faced.

Councillor McGovern supported this. Basements are being used now and are not going to Inspectional Services. This allows this to be done and allows Inspectional Services to ensure that renovations are being done properly. Many families leave Cambridge as their families expand because they cannot afford larger living space.

Mayor Maher stated that there are two parts to the petition. Part A is more controversial but Part B is ready. This will allow homeowners to expand the living spaces and stay in the City.

Councillor Mazen stated that his fear about not acting on this now and those who wish to use their basement space are creating illegal units now and are in breach of the code. The unsafe and unregulated use of basements can be reduced. The ordinance can be perfected over time.



There is some urgency to address the situation that exists now. He stated that the City needs to acknowledge that a problem exists and this will address the problem.

Vice Mayor Benzan stated that there are cash poor property owners who are using their basements as livable space who may be afraid to come forward about this. He wanted to know how inspections would be conducted by Inspectional Services and how property owners could be encouraged to come forward to bring the space up to code.

Councillor Kelley stated that this addresses a lot about housing. He supported this and wanted this moved quickly.

The question now came on passage to a second reading the proposed amendment, which reads as follows:

(HERE INSERT FIRST PUBLICATION # 3388)

The proposed amendment was –

Passed to a second reading at the City Council meeting held on December 7, 2015 and on or after December 28, 2015 the question comes on passing to be ordained.

In connection with this matter Vice Mayor Benzan submitted the following order, the question being on adoption, to wit:

(HERE COPY POLICY ORDER # 11)

The order was –

Adopted by the affirmative vote of nine members.

#### **COMMUNICATIONS AND REPORTS FROM OTHER CITY OFFICERS**

# 1 Placed on file.

# 2 Placed on file.

#### **LATE RESOLUTIONS**

#12-13 Resolutions made unanimously sponsored and adopted by the affirmative vote of nine members.

#### **ADJOURNMENT**

On motion of Councillor Carlone the meeting adjourned at 9:20 PM.

*A list of documents and other exhibits used at the meeting:*

***City Manager's Agenda  
City Council Agenda  
CD of meeting***